IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 57 OF 2007

Smt. Preeti Haresh Sosa ..Applicant
V/s
Mr. Haresh Karsan Sosa & Ors. ..Respondents.

Mr. Kafil Khan, Advocate for the applicant.

Mr. Siraj Khan for respondent Nos. 1 to 4.

Mrs. V.R. Bhosale, A.P.P. for the State.

CORAM : J.H. BHATIA, J.

DATE : 15TH JANUARY, 2007.

P.C.

. The petitioner is wife of respondent No.1 and respondent Nos. 2 to 4 are other in-laws of the petitioner. As the relations were strained between the parties, she filed FIR No.177/2006 dated 9/5/2006 and the offences under Sections 498A, 406 r/w section 34 of Indian Penal Code came to be registered at Police Station Kurla, Mumbai against respondent Nos. 1 to 4. By this application, the applicant and respondent Nos. 1 to 4 pray for quashing the proceedings on the ground that the applicant and respondent No.1 have settled the matter and agreed to release each other from Matrimonial

knot by making necessary application. She does not want to prosecute the matter and therefore, she wants this Court to quash the proceedings and allow to compound the offences for better and peaceful life hereinafter. In support of the application, joint consent of the applicant and respondent No.1 on affidavit is filed. Applicant No.1 is present in-person with Mr. Kafil Khan, Advocate and respondent No.1 is present with Mr. Shiraj Khan, Advocate. Both the parties also make a statement before the Court that they want to put an end to the dispute and they have also moved an application before the Family Court for divorce with mutual consent.

2. In view of the observations made by the Supreme Court in **B.S. Joshi and others V. State of Haryana and another, reported in (2003 ALL MR. (Cri) 1162 (S.C))**, it may be in the interest of justice to exercise inherent jurisdiction to quash the FIR, as the charge-sheet is not yet filed and the stage of compounding the offences has yet to be arrived. For the aforesaid reasons, this application is allowed and the FIR No. 177/2006 of Kurla Police Station is hereby quashed.

(J.H. BHATIA, J.)